

REMARKS

Generally

The current Office Action (dated 02/21/2006) examined all original claims 1-32. All of claims 1-32 were rejected. Of claims 1-32, three (3) claims were independent: claims 1, 14, and 23.

Claims 5 and 15 have been canceled. Hence, claims 1-4, 6-14, and 16-32 are now pending. Independent claims 1, 14, and 23 have been amended as indicated above.

Office Action Rejection(s)

The current Office Action rejected claims 1-32 under 35 U.S.C. §§ 112, 102(b), and 103(a).

Specifically, the current Office Action reads (in pertinent parts) at paragraphs #4, #9, #11, #12, and #13:

Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 2, 8, 10, 12-14, 19, 21, 23, 24, 26, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Price et al. (hereinafter "Price"), "Linking By Inking: Trailblazing in a Paper-like Hypertext", HyperText 98, Pittsburgh, PA, copyright ACM 1998, p. 30-39.

1 Claims 3, 4, 9, 16-18, 20, 25, 27, and 30 are rejected under 35 U.S.C.
2 103(a) as being unpatentable over Price as applied to claims 1,2,8,10,12-14,
3 19,21,23, 24,26, and 28 above, and further in view of Haveliwala et al.
4 (hereinafter "Haveliwala"), "Evaluating Strategies for Similarity Search on the
5 Web", WWW2002, May 2002, p. 432-442.

6 Claims 5-7, 11, 15, 22, and 29 are rejected under 35 U.S.C. 103(a) as
7 being unpatentable over Price as applied to claims 1,2,8, 10,12-14,19,21,23, 24,
8 26, and 28 above, and further in view of Szabo et al. (hereinafter "Szabo"), U.S.
9 Patent No. 6,868,525, issued March 2005.

10 Claims 31 and 32 are rejected under 35 U.S.C. 103(a) as being
11 unpatentable over Price in view of Haveliwala as applied to claim 30 above, and
12 further in view of Szabo.

13 Argument(s)

14
15 WITH RESPECT TO 35 U.S.C. § 112 REJECTIONS

16 With regard to independent claim 1, it is respectfully noted that the actions
17 or elements of a method claim may be performed in any order and/or fully or
18 partially simultaneously. Nevertheless, to remedy any appearance of a lack of
19 clarity, claim 1 has been amended by effectively switching the order of the last two
20 actions/elements.

21 With regard to dependent claim 11, it has been amended to depend from
22 claim 10.

23 Any previously-existing antecedent basis issues have been alleviated.
24 Accordingly, withdrawal of the §112 rejections is hereby respectfully requested.
25

1
2 WITH RESPECT TO 35 U.S.C. §§ 102(b) AND 103(a) REJECTIONS

3 The element(s) of dependent claim 5 have been amended into independent
4 claim 1. The element(s) of dependent claim 15 have been amended into
5 independent claim 14.

6 The current Office Action reads, in pertinent parts, at pages 12 and 13:

7 Regarding dependent claims 5-7, while Price teaches deriving search
8 tens, Price does not explicitly teach comparing the search terms to a history of
9 search terms; and weighting each of the search terms according to whether a
10 particular search term is included in the history of search terms, a higher weight
11 being assigned to a search term that is included in the history of search terms.
12 However, *Szabo teaches comparing a search term to a history of search terms*
13 *used by a particular user or group of users and weighting the search terms*
14 *accordingly (Col. 11, 1. 12-44) in the form of adaptive navigation support (Col.*
15 *14, 1. 1-30; Col. 32, 1. 15-30) and weighted search (Col. 41, 1. 41-Col. 42, 1.*
16 *16). Both Price and Szabo are analogous art since both are directed toward*
17 *keyword search of hypertext documents. It would have been obvious to one of*
18 *ordinary skill in the art at the time of the invention to apply Szabo to Price so*
19 *that Price would have the benefit of an intelligent agent system with user profile*
20 *information (Col. 33, 1. 33-54), thereby improving the efficiency of document*
21 *retrieval in the hypertext system disclosed by Price.*

22 [...]

23 Regarding dependent claim 15, claim 15 is directed toward substantially
24 similar subject matter as claimed in claim 5, and is rejected along the same
25 rationale.

(*italicized emphasis added*)

23 Szabo (U.S. Patent No. 6,868,525 B1) reads at Column 11, Lines 12-44:

24 U.S. Pat. No. 5,890,152, expressly incorporated herein by reference,
25 relates to a Personal Feedback browser and Personal Profile database for

1 obtaining media files from the Internet. A Personal Feedback browser selects
2 media files based on user-specified information stored in the Personal Profile
3 database. *The Personal Profile database includes Profile Objects that represent*
4 *the interests, attitude/aptitude, reading comprehension and tastes of a user.*
5 *Profile Objects are bundles of key words/key phrases having assigned weight*
6 *values.* Profile Objects can be positioned a specified distance from a Self Object.
7 The distance from the Profile Object to the Self Object represents the effect the
8 Profile Object has in filtering and/or selecting media files for that user. The
9 Personal Feedback browser includes a media evaluation software program for
10 evaluating media files based on a personal profile database. The Personal Profile
11 database is also adjusted based upon user selection and absorption of media files.

12 Another way of creating a user model is through the use of collaborative
13 filtering. In this case, the user provides some initial information as well. For a
14 collaborative filter, the user typically identifies himself or herself with a class of
15 users, wither by predefined or adaptive categories. Thus, the emphasis of
16 information gathering is not on the user's own knowledge or goals, but rather
17 personal data such as age, profession or interests. The system then compares this
18 user to other users and looks for users with similar answers to these questions. A
19 user model is then created based on the profiles of similar users. Thus,
20 collaborative filtering techniques typically require that a broad range of user
21 characteristics be acquired and stored without aggregation, for later analysis and
22 correlation to a given pattern.

23 *(italicized emphasis added)*

24 As indicated above in the italicized portion of Szabo, Szabo uses the
25 terminology "key words". However, these are words that are input into a
"Personal Profile database [that] includes Profile Objects that represent the
interests, attitude/aptitude, reading comprehension and tastes of a user."

Hence, these words do not originate from the historical keywords used in
previous searches.

1 Consequently, no art of record, either alone or in any combination,
2 anticipates or renders obvious at least the following elements in conjunction with
3 the other elements of their respective claims:

4 Claim 1: comparing the search terms to a history of search terms . . .
5 weighting each of the search terms according to whether a particular
6 search term is included in the history of search terms, a higher
7 weight being assigned to a search term that is included in the history
8 of search terms.

9 Claim 14: a history module that includes one or more historical keywords
10 that were previously used in the system . . . wherein the extraction
11 module is further configured to weight keywords according to
12 whether or not the keywords are included in the history module.

13 Claim 23: locating additional content that may be of interest to the user by
14 executing a search with one or more words indicated by the
15 annotation and one or more keywords derived from the context data
16 and from a keyword history list that includes previously-used
17 keywords.

18
19 Furthermore, it is respectfully submitted that Price cannot be properly
20 combined with Haveliwala and/or Szabo under the relevant facts and applicable
21 law. The motivation as asserted in the current Office Action is sufficiently broad
22 such that any two documents having search-related teachings would be combinable
23 under the stated motivation. However, the law of obviousness requires that it
24 would have been obvious at the time of the invention to have combined the
25 teachings of the references. As stated in M.P.E.P. (§ 2143.01 III.), "FACT THAT

1 REFERENCES CAN BE COMBINED OR MODIFIED IS NOT SUFFICIENT
2 TO ESTABLISH PRIMA FACIE OBVIOUSNESS.”

3 It is therefore respectfully submitted that no prima facie case has been
4 established against the claims that were rejected under 35 U.S.C. 103(a).

5
6 For the reasons provided above, it is respectfully submitted that independent
7 claims 1, 14, and 23 are allowable. Moreover, although each of the dependent
8 claims also includes additional element(s) militating toward allowability, they are
9 allowable at least for the reasons given above in connection with their respective
10 independent claims.

11 Accordingly, withdrawal of the §§ 102(b) and 103(a) rejections is hereby
12 respectfully requested.

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CONCLUSION

It is respectfully submitted that all of pending claims 1-4, 6-14, and 16-32 are allowable. Consequently, allowance of claims 1-4, 6-14, and 16-32 is hereby respectfully requested.

Respectfully Submitted,

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